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General Assembly

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Fifty-seventh session
Agenda item 109 (*c*)

Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/57/556/Add.3)*]

57/234. Question of human rights in Afghanistan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949[3] and the Additional Protocols thereto, of 1977,[4]

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling that Afghanistan is a party to the Convention on the Prevention and Punishment of the Crime of Genocide,[5] the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights,[2] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[6] the Convention on the Rights of the Child,[7] the Geneva Convention relative to the Protection of Civilian Persons in Time of War,[8] as well as the Convention concerning Equal Remuneration (Convention No. 100) and the Convention concerning the Abolition of Forced Labour (Convention No. 105) of the International Labour Organization, and recalling that it has signed the Convention on the Elimination of All Forms of Discrimination against Women,[9]

Welcoming the accession of Afghanistan to the Optional Protocols to the Convention on the Rights of the Child, on the involvement of children in armed conflict,[10] and on the sale of children, child prostitution and child pornography,[11] and to

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[4] Ibid., vol. 1125, Nos. 17512 and 17513.

[5] Resolution 260 A (III).

[6] Resolution 39/46, annex.

[7] Resolution 44/25, annex.

[8] United Nations, *Treaty Series*, vol. 75, No. 973.

[9] Resolution 34/180, annex.

[10] Resolution 54/263, annex I.

[11] Ibid., annex II.

the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[12]

Recalling that, as a State party to those international instruments, Afghanistan has the obligation to report on their implementation,

Recalling also all its relevant resolutions, as well as the resolutions and presidential statements of the Security Council, the decisions of the Economic and Social Council, the resolutions and decisions of the Commission on Human Rights and the resolutions of the Commission on the Status of Women,

Recalling further Security Council resolutions 1333 (2000) of 19 December 2000, 1378 (2001) of 14 November 2001, 1383 (2001) of 6 December 2001, 1401 (2002) of 28 March 2002, 1413 (2002) of 23 May 2002 and 1419 (2002) of 26 June 2002 on the situation in Afghanistan,

Recalling Security Council resolution 1296 (2000) of 19 April 2000 on the protection of civilians, resolution 1379 (2001) of 20 November 2001 on children and armed conflict, resolution 1325 (2000) of 31 October 2000 and the statements by the President of the Council of 31 October 2001[13] and 31 October 2002,[14] on women and peace and security,

Warmly welcoming the conclusion of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (the Bonn Agreement), signed by the Afghan parties at Bonn, Germany, on 5 December 2001,[15] which reaffirms the independence, national sovereignty and territorial integrity of Afghanistan and promotes national reconciliation, lasting peace, security and respect for human rights, and stressing the important role entrusted to the United Nations in that framework,

Warmly welcoming also the election by the Emergency Loya Jirga, in secret ballot, of the Head of State, President Hamid Karzai, and the establishment of the Afghan Transitional Authority,

Affirming the primary responsibility of the Afghan Transitional Authority, supported by the United Nations, to establish, in view of the formation of a government, an environment of good governance, democracy and the rule of law which:

(*a*) Should be broad-based, gender-sensitive, multi-ethnic and fully representative of all of the Afghan people and committed to peace with all countries,

(*b*) Should respect the human rights and fundamental freedoms of all of the Afghan people, without discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, birth, descent or other status,

(*c*) Should respect the international obligations of Afghanistan, including by cooperating fully in international efforts to combat terrorism and illicit drug trafficking within and from Afghanistan,

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[12] See CD/1478.

[13] S/PRST/2001/31.

[14] S/PRST/2002/32.

[15] See S/2001/1154.

(*d*) Should facilitate the urgent delivery of humanitarian assistance and the voluntary and orderly return, in safety and dignity, of refugees and internally displaced persons,

(*e*) Should promote democracy and the holding of free elections,

Recognizing that the accountability of perpetrators of grave human rights violations, and their accomplices, is one of the central elements of any effective remedy for victims of human rights violations, and recognizing also that a fair and effective national justice system is a key factor in ensuring the promotion and protection of human rights and fundamental freedoms and, ultimately, reconciliation and stability within a State,

Commending the activity of the Special Representative of the Secretary-General for Afghanistan and the staff of the United Nations Assistance Mission in Afghanistan,

Stressing the importance of ensuring the full and effective participation of women in all decision-making processes regarding the future of Afghanistan,

Stressing also the importance of the economic reconstruction and development process and the need to ensure that it is accomplished in a coordinated and non-discriminatory manner, in a context of full respect for human rights and fundamental freedoms,

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan,[16] and endorses the recommendations contained therein;

2. *Also welcomes* the decision of the Transitional Authority to establish the Constitutional Commission to undertake, with the assistance of the United Nations, the task of drafting a new Constitution, which will reflect, inter alia, the commitment of Afghanistan to promote and protect human rights pursuant to its obligations under the international human rights instruments;

3. *Warmly welcomes* the establishment of the Independent Human Rights Commission, which has the primary responsibility for advising on the promotion and protection of human rights and developing a national programme for the implementation of the relevant section of the Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (the Bonn Agreement);

4. *Invites* the relevant bodies of the United Nations, in particular the Office of the United Nations High Commissioner for Human Rights, within the framework of the United Nations Assistance Mission in Afghanistan:

(*a*) To assist in the full implementation of the human rights provisions of the Bonn Agreement and the National Human Rights Programme for Afghanistan, including through the establishment of an active human rights component in Afghanistan;

(*b*) To contribute to the work of the recently established Independent Human Rights Commission, the responsibilities of which include the promotion of international human rights standards, human rights monitoring, the investigation of violations of human rights and the development of domestic human rights institutions that have dedicated personnel and operative plans;

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[16] See A/57/309.

(*c*) To develop a human rights-based strategy addressing, in particular, issues of accountability, transitional justice, a national programme for human rights education, women's rights and the rights of the child;

5. *Commends* the steps taken by the Transitional Authority to promote and protect human rights and fundamental freedoms in order to guarantee, in particular, the rights of children, women and persons belonging to national, ethnic, religious or linguistic minorities and the right to education, employment and freedom of religion and expression;

6. *Welcomes* the designation by the Transitional Authority of the members of the Judicial Commission, and urges it to resume its work without delay with a view to restoring the rule of law by, inter alia, the establishment of an independent and impartial judiciary, which should function in conformity with standards of international law relating to human rights;

7. *Urges* the Transitional Authority, the international community and the United Nations, in particular the United Nations Assistance Mission in Afghanistan, to provide the commissions established under the Bonn Agreement with the support necessary to fulfil their mandates;

8. *Urges* the Transitional Authority to continue its efforts to re-establish the rule of law, including by ensuring that law enforcement agencies respect and uphold human rights and fundamental freedoms;

9. *Calls upon* the Transitional Authority to develop a culture of democracy that includes democratic institutions as well as a free press and autonomous electronic media, all of which contribute to the promotion of tolerance and respect for human rights;

10. *Expresses grave concern*:

(*a*) About the recent reports of ethnically motivated violence directed in particular against certain minority ethnic groups in affected areas that lack the rule of law and its enforcement machinery;

(*b*) About recent cases of arbitrary arrest and detention and of summary trials in some areas of the country;

(*c*) About recent attacks against women and girls, including rape and other forms of sexual violence, forced marriage, detention of women and girls for violating social codes and attacks on girls' schools;

11. *Calls upon* the Transitional Authority and all Afghan groups, in application of the Bonn Agreement:

(*a*) To respect fully all human rights and fundamental freedoms without discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, birth, descent or other status;

(*b*) To adhere strictly to their obligations under human rights instruments and international humanitarian law, inter alia, in relation to the treatment of prisoners;

(*c*) To implement fully demobilization and social reintegration activities, including those related to war-affected children;

(*d*) To facilitate the provision of efficient and effective remedies to the victims of grave violations and abuses of human rights and of international humanitarian law and to bring the perpetrators to justice in accordance with international standards and in particular with a view to combating impunity;

(*e*) To treat all suspects and convicted or detained persons in accordance with relevant international law and to refrain from acts of arbitrary detention in violation of international law;

(*f*) To facilitate the voluntary and orderly return in safety and dignity of Afghan refugees and internally displaced persons and their reintegration;

12. *Welcomes* the establishment of the Ministry of Women's Affairs, and encourages the Transitional Authority to provide the necessary support and resources to enable the Ministry to function effectively;

13. *Urges* the Transitional Authority to give high priority to the ratification of the Convention on the Elimination of All Forms of Discrimination against Women,[9] to end, without delay, all violations of the human rights of women and girls and to take urgent measures to ensure fully:

(*a*) The repeal of any legislative, institutional and other measures in place that discriminate against women and girls and those that impede the realization of their human rights and fundamental freedoms;

(*b*) The full, equal and effective participation of women in civil, cultural, economic, political and social life throughout the country at all levels;

(*c*) Respect for the equal right of women to work and their reintegration into employment in all sectors and at all levels of Afghan society;

(*d*) The equal right of women and girls to education without discrimination, the effective functioning of schools throughout the country and the admission of women and girls to educational programmes at all levels;

(*e*) Respect for the equal right of women and girls to security of person, including in the private sphere, and to ensure that those responsible for physical attacks on women are brought to justice;

(*f*) The equal right of women and girls to access to health care;

14. *Notes with deep concern* the severity of the humanitarian crisis that still affects the country and the existence of millions of Afghan internally displaced persons and refugees;

15. *Recognizes* the huge burden shouldered by neighbouring countries, especially the Islamic Republic of Iran and Pakistan, expresses its appreciation of the efforts made in those host countries to ease the plight of Afghan refugees, and encourages them to continue cooperating with the Office of the United Nations High Commissioner for Refugees to that end;

16. *Welcomes* the contributions of donors to meet the requirements of the Immediate and Transitional Assistance Programme for the Afghan People 2002, urges them to fulfil promptly the funding commitments made at the International Conference on Reconstruction Assistance to Afghanistan, held at Tokyo on 21 and 22 January 2002, and invites them to provide additional resources beyond those pledged at that Conference;

17. *Urges* the international community to provide continuing assistance to ensure an effective transition, consistent with the National Development Framework, from humanitarian assistance to the establishment of a longer-term social and economic recovery, with a view to meeting, in particular, the needs of internally displaced persons and returnees;

18. *Welcomes* the activities of the Office of the United Nations High Commissioner for Refugees and other United Nations agencies to achieve the voluntary return of 1.7 million refugees, calls upon the Office of the High Commissioner to continue implementing its plans for the voluntary and orderly repatriation of refugees in safety and dignity, in close cooperation with the Transitional Authority and with the support of other relevant United Nations agencies, and appeals to the international community to provide additional assistance for a durable solution to this problem;

19. *Notes with appreciation* the activities carried out by the International Committee of the Red Cross and other humanitarian organizations throughout the territory of Afghanistan;

20. *Appeals* to Member States, organizations and programmes of the United Nations system, specialized agencies and other international organizations to ensure that all United Nations operations integrate a gender perspective, including in the selection of personnel for their management, and that women benefit equally with men from such programmes;

21. *Urges* the Transitional Authority and all Afghan groups to ensure the safety, security and free movement of all foreign and local United Nations and associated personnel, as well as of all foreign and local personnel of humanitarian organizations, and their safe and unimpeded access to all affected populations;

22. *Also urges* the Transitional Authority and all Afghan groups to guarantee the access of all Afghans to aid and to educational and health facilities without discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, birth, descent or other status;

23. *Calls upon* the Transitional Authority and all Afghan groups to cooperate fully with the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan and all other special rapporteurs who request invitations to visit Afghanistan, and to facilitate their access to all sectors of society and to all parts of the country;

24. *Requests* the Secretary-General:

(*a*) To provide all necessary assistance to the Special Rapporteur;

(*b*) To ensure, in consultation with the United Nations High Commissioner for Human Rights, the integration of a human rights capacity in the context of United Nations activities in Afghanistan, and also to ensure that the protection and promotion of human rights is central to the purposes and functions of the United Nations Assistance Mission in Afghanistan and that the Mission is fully equipped to implement effectively its human rights responsibilities under the terms of the Bonn Agreement;

25. *Invites* the Special Rapporteur to provide updated reports, as appropriate, on the situation of human rights in Afghanistan to the General Assembly and the Commission on Human Rights;

26. *Decides* to keep the situation of human rights in Afghanistan under consideration at its fifty-eighth session, in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

77th plenary meeting
18 December 2002

General Assembly

Distr.: General
22 January 2003

Fifty-seventh session
Agenda item 84 (*a*)

Resolution adopted by the General Assembly

[*on the report of the Second Committee (A/57/529/Add.1)*]

57/235. International trade and development

The General Assembly,

Recalling its resolutions 55/182 of 20 December 2000 and 56/178 of 21 December 2001 on international trade and development,

Recalling also the Plan of Action adopted at the tenth session of the United Nations Conference on Trade and Development, held at Bangkok from 12 to 19 February 2000,[1]

Reaffirming the role of the United Nations Conference on Trade and Development as focal point within the United Nations for the integrated treatment of trade and development and the interrelated issues in the areas of finance, technology, investment and sustainable development,

Taking note of the outcome of the Fourth Ministerial Conference of the World Trade Organization, held at Doha from 9 to 14 November 2001,[2] and noting that the Fifth Ministerial Conference, to be held at Cancún, Mexico, in September 2003, will take stock of progress in the negotiations,

Recalling the provisions of the United Nations Millennium Declaration[3] dealing with trade and related development issues, as well as the outcomes of the International Conference on Financing for Development, held at Monterrey, Mexico, from 18 to 22 March 2002,[4] and the World Summit on Sustainable Development, held at Johannesburg, South Africa, from 26 August to 4 September 2002,[5]

Reiterating the importance of continued trade liberalization in developed and developing countries, including in sectors of export interest to developing countries, and bearing in mind paragraph 10 of resolution 55/182,

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[1] TD/390, part II.

[2] A/C.2/56/7, annex.

[3] See resolution 55/2.

[4] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[5] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

Recalling that the domestic efforts made by many developing countries in recent years to reshape their economies, in particular by autonomous trade liberalization, will be more effective if they are matched by enhanced and predictable market access for their main export priorities in goods and services and by effective support for the development of their supply capacity, and bearing in mind in this regard paragraph 28 of the Monterrey Consensus of the International Conference on Financing for Development,[4]

Noting the proposals made to implement the work programme of the World Trade Organization, including those to liberalize international agricultural and non-agricultural trade,

Noting also the significant contribution of the multilateral trading system to economic growth, development and employment, and the importance of maintaining the process of reform and liberalization of trade policies, as well as the importance of rejecting the use of protectionism so that the system plays its full part in promoting recovery, growth and development, in particular of developing countries,

Recalling that, to benefit fully from trade, which in many cases is the single most important external source of development financing, the establishment and enhancement of appropriate institutions and policies in developing countries, as well as in countries with economies in transition, are needed, and that, in this context, enhanced market access, balanced rules and well-targeted, sustainably financed technical assistance and capacity-building programmes for developing countries also play important roles,

1. *Reaffirms* the commitments of the Ministerial Declaration of the Fourth Ministerial Conference of the World Trade Organization[2] to place the needs and interests of developing countries at the heart of the work programme adopted in the Declaration and to continue to make positive efforts designed to ensure that developing countries, especially the least developed among them, secure a share in the growth of world trade commensurate with the needs of their economic development;

2. *Takes note* of the in-depth review undertaken by the Trade and Development Board with respect to developments and issues in the post-Doha work programme of particular concern to developing countries and its contribution to an understanding of the actions required to help developing countries secure beneficial and meaningful integration into the multilateral trading system and the global economy and to achieve a balanced, development-oriented and successful outcome at the end of the Doha process;

3. *Also takes note*, in this regard, of the relevant work of other international organizations;

4. *Expresses its concern* about the adoption of a number of unilateral actions that are not consistent with rules of the World Trade Organization, harm the exports of all countries, in particular those of developing countries, and have a considerable bearing on the ongoing World Trade Organization negotiations and on the achievement and further enhancement of the development dimension of the trade negotiations;

5. *Acknowledges* the measures taken to increase market access consistent with the rules of the World Trade Organization for some developing countries, in particular for the least developed countries, and further recognizes the importance of enhanced and predictable access to all markets for the exports of developing countries;

6. *Considers* that, in the context of the current world economic situation, the multilateral trading system should be reinforced by achieving a balanced outcome of the Doha negotiations that responds to the interests of all members of the World Trade Organization, in particular developing countries, by giving concrete shape to the development-related provisions of the work programme of the World Trade Organization and by working to ensure that the concerns of developing countries, in particular in terms of implementation issues and special and differential treatment, are properly and effectively addressed in accordance with the Ministerial Declaration adopted at Doha, as amended by the action of the General Council of the World Trade Organization;

7. *Reiterates* the need for the deadlines in the negotiating process, as established in the Ministerial Declaration adopted at Doha,[6] and as amended by the General Council of the World Trade Organization, to be respected;

8. *Recognizes* that trade rules and issues in the post-Doha framework should have a clear development content, and in this regard:

(*a*) Expresses its determination to take concrete action to address issues and concerns that have been raised by many developing country members regarding the implementation of some agreements and decisions of the World Trade Organization, including the difficulties and resource constraints that have been encountered in the implementation of obligations in various areas;

(*b*) Affirms that provisions for special and differential treatment are an integral part of the Uruguay Round of Multilateral Trade Negotiations by which the World Trade Organization was established and that all special and differential treatment provisions should be reviewed with a view to strengthening them and making them more precise, effective and operational, and notes the importance of paragraph 12.1 (i) of the Decision on Implementation-related Issues and Concerns of 14 November 2001, adopted by the Fourth Ministerial Conference of the World Trade Organization;[7]

(*c*) Affirms that ongoing negotiations should aim at clarifying and improving disciplines in the areas of anti-dumping, subsidies and countervailing measures, taking into account the needs of developing countries, including the least developed countries, while preserving the basic concepts, principles and effectiveness of those agreements and their instruments and objectives;

(*d*) Considers that, in the area of agriculture, without prejudging their outcome, the commitment to the comprehensive negotiations initiated under article 20 of the Agreement on Agriculture,[8] referred to in the Ministerial Declaration adopted at Doha and aimed at substantial improvements in market access, reductions of all forms of export subsidies with a view to phasing them out and substantial reductions in trade-distorting domestic support, should be fulfilled, while agreeing that the provisions for special and differential treatment for developing countries should be an integral part of all elements of the negotiations and should be embodied in the schedules of concession and commitments and, as appropriate, in the rules and disciplines to be negotiated, so as to be operationally effective and to enable developing countries to effectively take account of their

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[6] See A/C.2/56/7, annex, paras. 45 and 46.

[7] WT/MIN(01)/17. Available on the Internet at http://docsonline.wto.org.

[8] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

development needs, including food security and rural development, takes note of the non-trade concerns reflected in the negotiating proposals submitted by members of the World Trade Organization, and confirms that non-trade concerns would be taken into account in the negotiations as provided for in the Agreement on Agriculture, in accordance with the Ministerial Declaration;

(*e*) Considers that negotiations in trade in services should be conducted with a view to promoting the economic growth of all trading partners and the development of developing and least developed countries, that there should be no a priori exclusion of any service sector or mode of supply and that special attention should be given to sectors and modes of supply of export interest to developing countries, and recognizes the work already undertaken in the negotiations and the large number of proposals submitted by members on a wide range of sectors and on several horizontal issues, as well as on movement of natural persons;

(*f*) Reaffirms the commitments made with respect to the interpretation and implementation of the Agreement on Trade-related Aspects of Intellectual Property Rights[8] in a manner supportive of public health and promotion of access to medicine for all, including full and timely implementation of the Declaration on the Agreement on Trade-related Aspects of Intellectual Property Rights and Public Health, adopted by the Fourth Ministerial Conference of the World Trade Organization on 14 November 2001;[9]

9. *Acknowledges* the seriousness of the concerns expressed by the least developed countries in the Zanzibar Declaration, adopted by their ministers responsible for trade in July 2001, and recognizes that the integration of the least developed countries into the multilateral trading system requires meaningful market access, support for the diversification of their production and export-base and trade-related technical assistance and capacity-building;

10. *Stresses* the importance of facilitating the accession of all developing countries, particularly the least developed countries, as well as countries with economies in transition, that apply for membership in the World Trade Organization, bearing in mind paragraph 21 of resolution 55/182 and subsequent developments;

11. *Reaffirms* the commitments made at the Fourth Ministerial Conference of the World Trade Organization held at Doha and at the Third United Nations Conference on the Least Developed Countries, held at Brussels from 14 to 20 May 2001,[10] and in this regard calls upon developed countries that have not already done so to work towards the objective of duty-free, quota-free market access for all least developed countries' exports, and notes that consideration of proposals for developing countries to contribute to improved market access for least developed countries would also be helpful;

12. *Also reaffirms* the commitment to actively pursue the work programme of the World Trade Organization with respect to addressing the trade-related issues and concerns affecting the fuller integration of small, vulnerable economies into the multilateral trading system in a manner commensurate with their special circumstances and in support of their efforts towards sustainable development, in accordance with paragraph 35 of the Ministerial Declaration adopted at Doha;

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[9] WT/MIN(01)/DEC/2. Available on the Internet at http://docsonline.wto.org.

[10] See A/CONF.191/11 and 12.

13. *Further reaffirms* the commitment to full and faithful implementation of the Agreement on Textiles and Clothing,[8] and calls for further progress in its implementation, which is a necessary and inherent condition of full implementation of the agreements arising from the Uruguay Round;

14. *Stresses* the importance of clarifying and improving disciplines and procedures under the existing provisions of the World Trade Organization applying to regional trade agreements in accordance with the relevant mandate of the Fourth Ministerial Conference, taking into account the developmental aspects of those agreements, and urges the United Nations Conference on Trade and Development, in accordance with its mandates, to provide technical inputs in this respect;

15. *Also stresses* the importance of the Doha mandate for negotiations on market access for non-agricultural products, which should aim to reduce or, as appropriate, eliminate tariffs, including the reduction or elimination of tariff peaks, high tariffs and tariff escalation, as well as non-tariff barriers, in particular on products of export interest to developing countries, and reaffirms that preferences granted to developing countries pursuant to the Decision of the Contracting Parties on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries of 28 November 1979 ("Enabling Clause")[11] should be generalized, non-reciprocal and non-discriminatory;

16. *Recognizes* the importance for developing countries as well as countries with economies in transition of considering reducing trade barriers among themselves;

17. *Notes* the health and environment-related measures that have an impact on exports, stresses that the adoption or enforcement of any measures necessary to protect human, animal or plant life or health should not be applied in a manner that would constitute arbitrary or unjustified discrimination or a disguised restriction on international trade, and recognizes the importance of capacity-building support for developing countries so as to enable them to put in place the appropriate measures necessary for meeting standards consistent with the World Trade Organization;

18. *Encourages* support for measures to simplify and to make more transparent the domestic regulations and procedures that affect trade, so as to assist exporters, particularly those from developing countries;

19. *Stresses* the importance of increased participation of developing countries in the work of relevant international standards-setting organizations and of increased technical assistance and capacity-building in this regard;

20. *Expresses its satisfaction* with the renewed and increased cooperation between the United Nations Conference on Trade and Development and the World Trade Organization as well as with the joint efforts to provide trade-related technical assistance, calls for a further strengthening of this cooperation, and stresses, in this respect, the importance of continuing and enhancing the implementation of the United Nations Conference on Trade and Development Programme of Capacity-building and Technical Cooperation for Developing Countries, Especially the Least Developed Countries, and Economies in Transition, in Support of their Participation in the World Trade Organization Doha Work Programme;[12]

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[11] L/4903. Available on the Internet at http://docsonline.wto.org.

[12] See UNCTAD/RMS/TCS/1.

21. *Invites*, in this regard, donors and other countries in a position to do so to continue to provide the United Nations Conference on Trade and Development with the necessary resources to deliver effective and demand-driven assistance to developing countries, especially least developed countries, and countries with economies in transition, and to small and vulnerable economies, as well as to continue and enhance their contributions to the trust funds of the Integrated Framework for Trade-related Technical Assistance to Least Developed Countries and the Joint Integrated Technical Assistance Programme and to the activities of the United Nations Conference on Trade and Development/World Trade Organization International Trade Centre;

22. *Also invites* donors and other countries in a position to do so to make voluntary contributions to the Doha Development Agenda Global Trust Fund of the World Trade Organization, and further invites the World Trade Organization to cooperate closely with other organizations having the necessary expertise and comparative advantage in delivering technical assistance;

23. *Invites* bilateral and multilateral financial and development institutions, in cooperation with interested Governments and their financial institutions, to expand and coordinate their efforts, with increased resources, to further support national efforts to benefit from trade opportunities and effectively integrate into the multilateral trading system;

24. *Reaffirms* the commitment on the part of developed and developing countries to mainstream appropriate trade policies in their respective development policies and programmes;

25. *Calls upon* the United Nations Conference on Trade and Development, within its mandate, to contribute to the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[13] and welcomes the cooperation on trade, environment and development, inter alia, in the field of technical assistance to developing countries, among the secretariats of the World Trade Organization, the United Nations Conference on Trade and Development, the United Nations Development Programme, the United Nations Environment Programme and other relevant international developmental and environmental organizations;

26. *Endorses* the outcomes of the mid-term review of the work of the United Nations Conference on Trade and Development,[14] which was aimed at reviewing the implementation of the commitments and of the work programme agreed upon at the tenth session of the Conference, and reiterates its profound gratitude to the Government and people of Thailand for hosting the mid-term review;

27. *Welcomes* the generous offer by the Government of Brazil to host the eleventh session of the United Nations Conference on Trade and Development in 2004, and takes note of the invitation addressed to the Secretary-General of the Conference to prepare the draft provisional agenda and the timetable for the Conference for consideration by the Trade and Development Board in the first quarter of 2003;

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[13] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[14] See A/57/15 (Part II). For the final text, see *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 15*.

28. *Requests* the Secretary-General of the United Nations, in collaboration with the secretariat of the United Nations Conference on Trade and Development, to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution and on developments in the multilateral trading system, under the sub-item entitled "International trade and development".

78th plenary meeting
20 December 2002

United Nations A/RES/57/236

General Assembly

Distr.: General
22 January 2003

Fifty-seventh session
Agenda item 84 (*b*)

Resolution adopted by the General Assembly

[*on the report of the Second Committee (A/57/529/Add.2)*]

57/236. Commodities

The General Assembly,

Recalling its resolution 55/183 of 20 December 2000, and stressing the urgent need to ensure its full implementation,

Recalling also the United Nations Millennium Declaration adopted by heads of State and Government on 8 September 2000,[1]

Taking note of the relevant provisions of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[2]

Taking note also of the Programme of Action for the Least Developed Countries for the Decade 2001–2010[3] and *The Least Developed Countries Report, 2002*,[4]

Taking note further of the Monterrey Consensus of the International Conference on Financing for Development,[5]

Taking note of the targets set out in the Rome Declaration on World Food Security and the Plan of Action of the World Food Summit[6] and the outcome document of the World Food Summit: five years later,[7] which reaffirms the pledge to end hunger,

Taking note also of the Ministerial Declaration of the Fourth Ministerial Conference of the World Trade Organization, held at Doha from 9 to 13 November 2001,[8]

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[1] See resolution 55/2.

[2] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[3] A/CONF.191/11.

[4] United Nations publication, Sales No. E.02.II.D.13.

[5] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[6] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13–17 November 1996* (WFS 96/REP), part one, appendix.

[7] Ibid., *Report of the World Food Summit: five years later, 10–13 June 2002*, part one, appendix; see also A/57/499, annex.

[8] A/C.2/56/7, annex.

Taking note with concern of the report of the Secretary-General of the United Nations Conference on Trade and Development on world commodity trends and prospects,[9] which examines the downward trend of most commodity prices,[10]

Reiterating the importance of maximizing the contribution of the commodity sector to economic growth and sustainable development, while continuing with diversification efforts in developing countries, especially commodity-dependent countries, and bearing in mind paragraph 6 of resolution 55/183,

Recognizing that commodity-dependent developing countries, in particular African countries and the least developed countries, as well as small island developing States and landlocked developing countries, are highly dependent on primary commodities as their principal source of export revenues, employment, income-generation and domestic savings, and as the driving force of investment, economic growth and social development,

Recognizing also that structural changes in international commodity markets, particularly the increasing concentration in trade and distribution, constitute new challenges for commodity producers and exporters in developing countries,

Recognizing further that agriculture plays a crucial role in addressing the needs of a growing global population and is inextricably linked to poverty eradication, especially in developing countries, and recognizing also that enhancing the role of women at all levels and in all aspects of rural development, agriculture, nutrition and food security is imperative and, furthermore, that sustainable agriculture and rural development are essential for the implementation of an integrated approach to increasing food production and enhancing food security and food safety in an environmentally sustainable way,

Expressing deep concern about the negative effects of unfavourable weather conditions on the supply side of most commodity-dependent developing countries, the continuing depressed levels of most commodity prices and the dramatic falls in recent years in prices of commodities of particular interest to developing countries, which adversely affect the economic growth of commodity-dependent developing countries, especially countries in Africa and the least developed countries, as well as small island developing States and landlocked developing countries,

Expressing its concern about the difficulties experienced by the developing countries in financing and implementing viable diversification programmes, which are essential for sustainable development and for attaining access to markets for their commodities,

Emphasizing the need for a domestic industrial transformation of commodity production in the developing countries, in particular African countries and the least developed countries, with a view to enhancing productivity and stabilizing and increasing their export earnings, thus promoting the sustainable economic growth of developing countries and their integration into the global economy,

Recognizing that commodity prices are an important element for heavily indebted poor countries that are commodity-dependent in maintaining long-term debt sustainability,

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[9] A/57/381, annex.

[10] Ibid., sect. I.B.

1. *Emphasizes* the need for efforts by the developing countries that are heavily dependent on primary commodities to continue to promote a domestic policy and an institutional environment that encourage diversification and liberalization of the trade and export sectors and enhance competitiveness;

2. *Expresses* the urgent need for supportive international policies and measures to improve the functioning of commodity markets through efficient and transparent price-formation mechanisms, including commodity exchanges, and through the use of viable and effective commodity price risk management instruments;

3. *Expresses its concern* at the declining terms of trade for most primary commodities, in particular for net exporters of such commodities, as well as the lack of progress in many developing countries in achieving diversification, and in this regard strongly emphasizes the need for actions at both the national and international levels, inter alia, to improve market access conditions, address supply-side constraints and provide support for capacity-building, including in areas that actively involve women;

4. *Urges* Governments and invites international financial institutions to continue to assess the effectiveness of the systems for compensatory financing of export-earnings shortfalls, and in this regard stresses the importance of empowering developing country commodity producers to insure themselves against risk, including natural disasters;

5. *Urges* the developed countries to continue to support the commodity diversification and liberalization efforts of commodity-dependent developing countries, especially those in Africa and the least developed countries, as well as small island developing States and landlocked developing countries, in a spirit conducive to promoting a common purpose and efficiency, inter alia, by providing technical and financial assistance for their commodity diversification programmes;

6. *Urges* producers and consumers of individual commodities to intensify their efforts to reinforce mutual cooperation and assistance;

7. *Reiterates* the importance of maximizing the contribution of the commodity sector to economic growth and sustainable development, while continuing with diversification efforts in developing countries, in particular commodity-dependent developing countries, especially those in Africa and the least developed countries, as well as small island developing States and landlocked developing countries, and, in this respect, stresses that:

(*a*) International support for efforts by developing countries in the industrial transformation of their commodities is required to increase their export revenues and improve their competitiveness, with a view to facilitating their integration into the global economy;

(*b*) In the area of agriculture, it is important to fulfil, without prejudging the outcome of the negotiations, the commitment for comprehensive negotiations initiated under article 20 of the Agreement on Agriculture,[11] referred to in the Ministerial Declaration adopted at Doha,[12] and aimed at substantial improvements in market access; reductions of all forms of export subsidies, with a view to phasing

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[11] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

[12] See A/C.2/56/7, annex, para. 13.

them out; substantial reductions in trade-distorting domestic support; pursuing negotiations on market access for non-agricultural products aimed at reducing or, as appropriate, eliminating tariffs, including the reduction or elimination of tariff peaks, high tariffs, and tariff escalation, as well as non-tariff barriers, in particular on products of export interest to developing countries; and implementing other relevant areas of the World Trade Organization work programme;

(*c*) In line with the Johannesburg Plan of Implementation,[2] mutual supportiveness between the multilateral trading system and the multilateral environmental agreements, consistent with sustainable development goals, should be promoted in support of the work programme agreed through the World Trade Organization, while recognizing the importance of maintaining the integrity of both sets of instruments;

(*d*) In the light of the process of multilateral trade liberalization, which has led to the diminution of differentials accorded by preferred trade regimes, there is a need to take measures, as appropriate and consistent with international obligations, to address that diminution, in particular by strengthening technical assistance, by continuing to provide financial assistance to commodity-dependent developing countries and by addressing supply-side constraints faced by these countries, in order to improve the competitiveness of their commodity sectors and to overcome difficulties encountered in their diversification programmes;

(*e*) Timely and effective financial cooperation should be maintained and further pursued to facilitate the management by commodity-dependent developing countries, especially those in Africa and the least developed countries, as well as small island developing States and landlocked developing countries, of excessive fluctuations in commodity export earnings, and in this regard stresses that it is important to pursue diversification as part of a long-term solution;

(*f*) Strengthening technical cooperation in the areas of transfer of new technologies and know-how in production processes and training for technical, managerial and commercial staff in developing countries is of paramount importance for quality improvements in the commodity sector;

(*g*) Expansion of South-South trade and investment in commodities enhances complementarities and offers opportunities for intersectoral linkages within and among exporting countries;

(*h*) There is a need to promote, expand and intensify research and development, to provide infrastructure, enterprise development, technology and support services and to encourage investment, including joint ventures in developing countries engaged in the commodity and commodity-processing sectors;

8. *Underlines* the need to strengthen the Common Fund for Commodities, and encourages it, in cooperation with the International Trade Centre, the United Nations Conference on Trade and Development and other relevant bodies, to continue to strengthen the activities covered by its Second Account in developing countries with its supply chain concept of improving access to markets and reliability of supply, enhancing diversification and value addition, improving competitiveness of commodities, strengthening the market chain, improving market structures, broadening the export base and ensuring the effective participation of all stakeholders;

9. *Invites* the United Nations Conference on Trade and Development, within its mandate, to provide assistance to developing countries in promoting commodity diversification and to include issues related to commodities in the provision of

analytical support and technical assistance to developing countries in respect of their effective participation in multilateral trade negotiations;

10. *Encourages* efforts to promote cooperation between relevant international organizations on commodity issues;

11. *Calls upon* the Secretary-General of the United Nations Conference on Trade and Development, within existing budgetary resources, supplemented by voluntary contributions as appropriate, to designate independent eminent persons to examine and report on commodity issues, including the volatility in commodity prices and declining terms of trade and the impact these have on the development efforts of commodity-dependent developing countries, for consideration by the Trade and Development Board at its executive session and, subsequently, by the General Assembly at its fifty-eighth session;

12. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to report to the General Assembly at its fifty-ninth session on world commodity trends and prospects, taking into account, inter alia, the current report thereon[9] and the subsequent consideration requested in paragraph 11 above;

13. *Decides* to include in the provisional agenda of its fifty-ninth session, under the item entitled "Macroeconomic policy questions", the sub-item entitled "Commodities".

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20 December 2002

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Agenda item 84 (*c*)

Resolution adopted by the General Assembly

[*on the report of the Second Committee (A/57/529/Add.3)*]

57/237. Global biotechnology forum: Chile 2003

The General Assembly,

Underlining that intergovernmental cooperation in science and technology is an important tool with which to enhance international cooperation,

Stressing that international cooperation, including North-South as well as South-South cooperation, is an important means of offering viable opportunities to developing countries in their individual and collective pursuit of sustainable development, and of ensuring their effective and meaningful participation in the emerging global economic system,

Recalling the relevant provisions of the Convention on Biological Diversity[1] as well as the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,[2]

Recalling also the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[3]

Taking note of decision IDB.26/Dec.8 adopted by the Industrial Development Board of the United Nations Industrial Development Organization at its twenty-sixth session, held at Vienna from 19 to 21 November 2002,[4]

1. *Takes note* of the proposal by the Government of Chile to host a global biotechnology forum in December 2003 for multi-stakeholder discussions under the auspices of the United Nations Industrial Development Organization, in cooperation with other relevant organizations, and to take adequate measures towards its successful organization;

2. *Encourages* interested Member States to work with the United Nations Industrial Development Organization, inter alia, through regional preparatory meetings and discussions with the Secretariat, to ensure that the forum has realistic

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[1] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[2] See UNEP/CBD/ExCOP/1/3 and Corr.1, part two, annex.

[3] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[4] See GC.10/3, annex I.

objectives and produces useful outcomes, as related to the mandate of the United Nations Industrial Development Organization in its medium-term programme framework, 2002–2005;

3. *Also encourages* interested Member States to consider providing financial or other support to the forum and/or to the regional preparatory meetings;

4. *Invites* the Director-General of the United Nations Industrial Development Organization to include in his report to the General Assembly at its fifty-ninth session a section on the outcomes of the forum.

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57/238. World Summit on the Information Society

The General Assembly,

Recalling its resolution 56/183 of 21 December 2001,

Recalling also the Meeting of the General Assembly devoted to information and communication technologies for development, held in New York on 17 and 18 June 2002,[1]

Welcoming the preparations for the World Summit on the Information Society undertaken at the national and regional levels, and encouraging all countries to intensify their work,

Welcoming also the regional conference held in Bamako from 25 to 30 May 2002, in the context of the preparatory process of the Summit,

Welcoming further the establishment of the Bureau of the Preparatory Committee for the World Summit on the Information Society, and encouraging Member States to support it in accomplishing its task,

Welcoming the convening of the first meeting of the Preparatory Committee, held at Geneva from 1 to 5 July 2002,

Welcoming also the decision of the Information and Communication Technologies Task Force to contribute actively to the preparatory process for the Summit and, to that end, to hold its next meeting at Geneva on 21 and 22 February 2003,

1. *Takes note* of the note by the Secretary-General containing the report of the Secretary-General of the International Telecommunication Union on the ongoing preparatory process for the World Summit on the Information Society;[2]

2. *Invites* the Member States concerned to participate actively in the regional conferences to be held under the auspices of the regional commissions in

[1] See *Official Records of the General Assembly, Fifty-sixth Session, Plenary Meetings*, 104th to 106th meetings (A/56/PV.101–104), and corrigenda.

[2] A/57/71-E/2002/52 and Add.1.

Bucharest in November 2002 and in Bávaro, Dominican Republic, and Tokyo in January 2003;

3. *Encourages* non-governmental organizations, civil society and the private sector to contribute further to, and actively participate in, the intergovernmental preparatory process for the Summit and in the Summit itself, according to the modalities of participation established by the Preparatory Committee;

4. *Encourages* all relevant United Nations bodies and other intergovernmental organizations, including international and regional institutions, as well as the Information and Communication Technologies Task Force, to enhance their cooperation in and support to the preparatory process for the Summit;

5. *Recommends* that the occasion of the World Summit on the Information Society be used for arranging events related to the Summit;

6. *Recommends also* that, while addressing the whole range of relevant issues related to the information society, all actors involved adopt a coordinated approach to addressing the needs of all countries, including developing countries, in particular the least developed countries;

7. *Requests* the International Telecommunication Union, in the context of its leading managerial role in the preparatory process for the Summit, in close cooperation with the Department of Public Information of the Secretariat and in coordination with other information offices of the United Nations system, to launch a public information campaign to raise global awareness of the Summit, within the existing resources and through voluntary contributions;

8. *Reiterates its call* to the international community to make voluntary contributions to the special trust fund established by the International Telecommunication Union to support the preparations for and the holding of the Summit, as well as to facilitate the effective participation of representatives of developing countries, in particular the least developed countries, in the regional meetings to be held in the first half of 2003, the preparatory meetings to be held in 2003 and the Summit itself;

9. *Invites* countries to send representation at the highest political level to the Summit, which will be held at Geneva from 10 to 12 December 2003 and at Tunis in 2005;

10. *Invites* the Secretary-General of the United Nations to inform all heads of State and Government about the importance of the forthcoming Summit;

11. *Invites* the Secretary-General of the International Telecommunication Union to submit to the General Assembly for information, at its fifty-eighth and fifty-ninth sessions, through the Economic and Social Council, a report on the preparations for the Summit.

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57/239. Creation of a global culture of cybersecurity

The General Assembly,

Noting the growing dependence of Governments, businesses, other organizations and individual users on information technologies for the provision of essential goods and services, the conduct of business and the exchange of information,

Recognizing that the need for cybersecurity increases as countries increase their participation in the information society,

Recalling its resolutions 55/63 of 4 December 2000 and 56/121 of 19 December 2001 on establishing the legal basis for combating the criminal misuse of information technologies,

Recalling also its resolutions 53/70 of 4 December 1998, 54/49 of 1 December 1999, 55/28 of 20 November 2000, 56/19 of 29 November 2001 and 57/53 of 22 November 2002 on developments in the field of information and telecommunications in the context of international security,

Aware that effective cybersecurity is not merely a matter of government or law enforcement practices, but must be addressed through prevention and supported throughout society,

Aware also that technology alone cannot ensure cybersecurity and that priority must be given to cybersecurity planning and management throughout society,

Recognizing that, in a manner appropriate to their roles, government, business, other organizations, and individual owners and users of information technologies must be aware of relevant cybersecurity risks and preventive measures and must assume responsibility for and take steps to enhance the security of these information technologies,

Recognizing also that gaps in access to and the use of information technologies by States can diminish the effectiveness of international cooperation in combating the criminal misuse of information technology and in creating a global culture of cybersecurity, and noting the need to facilitate the transfer of information technologies, in particular to developing countries,

Recognizing further the importance of international cooperation for achieving cybersecurity through the support of national efforts aimed at the enhancement of

human capacity, increased learning and employment opportunities, improved public services and better quality of life by taking advantage of advanced, reliable and secure information and communication technologies and networks and by promoting universal access,

Noting that, as a result of increasing interconnectivity, information systems and networks are now exposed to a growing number and a wider variety of threats and vulnerabilities which raise new security issues for all,

Noting also the work of relevant international and regional organizations on enhancing cybersecurity and the security of information technologies,

1. *Takes note* of the elements annexed to the present resolution, with a view to creating a global culture of cybersecurity;

2. *Invites* all relevant international organizations to consider, inter alia, these elements for the creation of such a culture in any future work on cybersecurity;

3. *Invites* Member States to take into account these elements, inter alia, in their efforts to develop throughout their societies a culture of cybersecurity in the application and use of information technologies;

4. *Invites* Member States and all relevant international organizations to take, inter alia, these elements and the need for a global culture of cybersecurity into account in their preparations for the World Summit on the Information Society, to be held at Geneva from 10 to 12 December 2003 and at Tunis in 2005;

5. *Stresses* the necessity to facilitate the transfer of information technology and capacity-building to developing countries, in order to help them to take measures in cybersecurity.

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Annex

Elements for creating a global culture of cybersecurity

Rapid advances in information technology have changed the way Governments, businesses, other organizations and individual users who develop, own, provide, manage, service and use information systems and networks ("participants") must approach cybersecurity. A global culture of cybersecurity will require that all participants address the following nine complementary elements:

(*a*) *Awareness*. Participants should be aware of the need for security of information systems and networks and what they can do to enhance security;

(*b*) *Responsibility*. Participants are responsible for the security of information systems and networks in a manner appropriate to their individual roles. They should review their own policies, practices, measures and procedures regularly, and should assess whether they are appropriate to their environment;

(*c*) *Response*. Participants should act in a timely and cooperative manner to prevent, detect and respond to security incidents. They should share information about threats and vulnerabilities, as appropriate, and implement procedures for rapid and effective cooperation to prevent, detect and respond to security incidents. This may involve cross-border information-sharing and cooperation;

(*d*) *Ethics*. Given the pervasiveness of information systems and networks in modern societies, participants need to respect the legitimate interests of others and recognize that their action or inaction may harm others;

(*e*) *Democracy*. Security should be implemented in a manner consistent with the values recognized by democratic societies, including the freedom to exchange thoughts and ideas, the free flow of information, the confidentiality of information and communication, the appropriate protection of personal information, openness and transparency;

(*f*) *Risk assessment*. All participants should conduct periodic risk assessments that identify threats and vulnerabilities; are sufficiently broad-based to encompass key internal and external factors, such as technology, physical and human factors, policies and third-party services with security implications; allow determination of the acceptable level of risk; and assist in the selection of appropriate controls to manage the risk of potential harm to information systems and networks in the light of the nature and importance of the information to be protected;

(*g*) *Security design and implementation*. Participants should incorporate security as an essential element in the planning and design, operation and use of information systems and networks;

(*h*) *Security management*. Participants should adopt a comprehensive approach to security management based on risk assessment that is dynamic, encompassing all levels of participants' activities and all aspects of their operations;

(*i*) *Reassessment*. Participants should review and reassess the security of information systems and networks and should make appropriate modifications to security policies, practices, measures and procedures that include addressing new and changing threats and vulnerabilities.